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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 MONTRAIL D. SMITH,

9 Petitioner,

2:15-cv-00487-KJD-VCF

10 vs.

ORDER

11 RENEE BAKER, *et al.*,

12 Respondents.
13 _____/

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15 This action is a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, by
16 Montrail D. Smith, a Nevada prisoner. The court appointed counsel for Smith, and his counsel
17 appeared for him on June 25, 2015 (ECF No. 12). Respondents have also appeared in the case
18 (ECF No. 11).

19 The court entered a scheduling order on July 1, 2015 (ECF No. 13). In that order, the court
20 granted Smith ninety days -- until September 29, 2015 -- to file a first amended habeas petition.

21 On September 28, 2015, Smith filed a motion for extension of time (ECF No. 14), requesting
22 a ninety-day extension of time to file the first amended petition. Counsel states that such a lengthy
23 extension of time is necessary because of the complexity of this case and because of his obligations
24 in other cases. Respondents apparently do not oppose the extension of time.

25 The court finds that the motion for extension of time is made in good faith and not solely for
26 the purpose of delay, and that there is good cause for the requested extension of time. The court will

1 grant the motion for extension of time, and extend to December 28, 2015, the time for Smith to file a
2 first amended petition.

3 In light of the amount of time that Smith will have had to file an amended petition, the court
4 will not look favorably upon any motion to further extend this deadline.

5 **IT IS THEREFORE ORDERED** that, petitioner shall have until and including
6 **December 28, 2015**, to file a first amended petition for writ of habeas corpus.

7 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
8 proceedings set forth in the order entered July 1, 2015 (ECF No. 13) shall remain in effect.

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10 Dated this 30 day of September, 2015.

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UNITED STATES DISTRICT JUDGE